

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**CARROLL INDEPENDENT SCHOOL
DISTRICT,**

Plaintiff,

v.

**UNITED STATES DEPARTMENT OF
EDUCATION; ET AL.,**

Defendants.

Case No. 4:24-cv-00461-O

**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT**

Before the Court is Plaintiff Carroll Independent School District's motion for summary judgment against Defendants United States Department of Education, Miguel Cardona, Catherine E. Lhamon, United States Department of Justice, Merrick B. Garland, and Kristen Clarke, under Federal Rule of Civil Procedure 56.

This Court, having reviewed the motion and being otherwise sufficiently advised, finds as follows:

The Court grants Plaintiff summary judgment on Counts 1–4 of its Complaint. *See* ECF No. 1. The Department of Education's proposed Title IX regulation, 89 Federal Register 33,474 (April 29, 2024) (the Rule), is inconsistent with the Title IX statute and requires Plaintiff to infringe on constitutional rights. This Court holds the Rule unlawful, sets it aside, and vacates it pursuant to 5 U.S.C. § 706, because it violates Title IX, the Administrative Procedure Act, and the U.S. Constitution.

This Court enters a permanent injunction enjoining Defendants, any other agency or employee of the United States, and anyone acting in concert with any such

person from enforcing or implementing the Rule for violating Title IX, the APA, and the U.S. Constitution.

This Court issues a judgment declaring, pursuant to 28 U.S.C. § 2201 and 5 U.S.C. § 706, that (i) the Rule's interpretation of Title IX is unlawful and (ii) the Rule is arbitrary and capricious.

The Court finds that no bond is necessary to issue this permanent injunction and vacatur and that any bond would be waived anyway. *See* Fed. R. Civ. P. 65(c).

Because this Court has already vacated and enjoined enforcement of the Interpretation and Fact Sheet challenged by Plaintiff, it dismisses without prejudice Counts 5 and 6 of Plaintiff's Complaint.

The Court permits Plaintiff to file a motion seeking attorneys' fees and costs. *See, e.g.*, 28 U.S.C. § 2412.

Plaintiff's motion should be and is hereby GRANTED.

IT IS SO ORDERED.

Signed this __ day of _____, 2024.

The Honorable Reed O'Connor
UNITED STATES DISTRICT JUDGE